

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JOSE HUMBERTO POLANCO *et al.*,

Plaintiff,

-against-

BENSONHURST RESTAURANT CORP.
and THEODOROS VLAMIS,

Defendants.

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POLLAK, Chief United States Magistrate Judge:

ORDER
16 CV 1085 (ILG) (CLP)

On August 16, 2021, Philip Davidoff, Esq., counsel for defendants Bensonhurst Restaurant Corp. and Theodoros Vlamis, filed a motion to withdraw. (See ECF No. 52). After several conferences and Orders, this Court granted counsel's motion to withdraw and Ordered him to serve defendants with a copy of the Order. (See ECF No. 57). The Court also gave defendants until January 10, 2022 to obtain new counsel or otherwise contact the Court. (See id.).

On January 10, 2022, the Court received a call from defendant Vlamis's wife, stating that they had been attempting to obtain an attorney, but had been unable to do so, and requested an extension. Defendants' request for an extension is granted. They have until **February 14, 2022** to obtain new counsel.

The Court notes that defendant Bensonhurst Restaurant Corp. cannot proceed *pro se*, without counsel, and if it does not obtain an attorney, this Court will recommend that a default judgment enter against the corporation. See Trustees of Empire State Carpenters Annuity, Apprenticeship, Labor-Mgmt. Cooperation, Pension & Welfare Funds v. Tri-State Acoustics


Corp., No. 13 CV 05558, 2014 WL 4537481, at *5 (E.D.N.Y. Sept. 11, 2014); see also Shapiro, Bernstein & Co. v. Continental Record Co., 386 F.2d 426, 427 (2d Cir. 1967) (per curiam).

If Mr. Vlamis is unable to obtain counsel and wishes to proceed by representing himself in defending this case, he should notify this Court by February 14, 2022. He may also contact the Federal *Pro Se* Legal Assistance Project at 212-382-4729.

The Clerk is directed to send copies of this Order to the parties either electronically through the Electronic Case Filing (ECF) system or by mail.

SO ORDERED.

Dated: January 14, 2022
Brooklyn, New York



CHERYL L. POLLAK
Chief United States Magistrate Judge
Eastern District of New York